

43.92

1 BILL NO. Z-79-02-34

2 ZONING MAP ORDINANCE NO. Z- Withdrawn

3 AN ORDINANCE amending the City of
4 Fort Wayne Zoning Map No. M-30.

5 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
6 INDIANA:

7 SECTION 1. That the area described as follows is hereby design-
8 nated a M-2 District - General Industrial, under the terms of Chapter 33,
9 Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of
10 the City of Fort Wayne Zoning Map No. M-30, referred to therein, established
11 by Section 33-11, of said Chapter are hereby changed accordingly, to wit:

12 Part of the East Half of the Southeast Quarter of
13 Section 23, Township 31 North, Range 12 East,
14 Allen County, Indiana, described as follows:

15 Commencing at the northeast corner of said Half-
16 Quarter Section; thence south and along the centerline
17 of U.S. Highway #27 (Coldwater Road) 428.70 feet;
18 deflecting 90° 21' right parallel with the north line
19 of said Half-Quarter Section 866.79 feet to the place
20 of beginning of this description; thence deflecting
21 90° 21' left parallel with said centerline 196.40
22 feet; thence deflecting 89° 39' left parallel with
23 the north line of said Half-Quarter Section 245.24
feet; thence deflecting 89° 39' right parallel with
said centerline 212.28 feet; thence deflecting 90° 00'
right parallel with the south line of said Half-Quarter
Section 697.85 feet to the west line of said Half-Quarter
Section; thence north and along the west line of said
Half-Quarter Section 413.00 feet; thence east parallel
with the north line of said Half-Quarter Section 454.41
feet to the place of beginning, containing 5.495 acres,
more or less.

24 SECTION 2. That this Ordinance shall be in full force and effect
25 from and after its passage, approval by the Mayor and legal publication
26 thereof.

27 
28 John D. Nichols
29 Councillman

30
31
32 APPROVED AS TO FORM
33 AND LEGALITY,


CITY ATTORNEY

Read the first time in full and on motion by _____, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on _____ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____ at _____ o'clock _____ M., E.S.T.

DATE: 2-27-79

Charles W. Western
CITY CLERK

Read the third time in full and on motion by _____, seconded by _____, and duly adopted, placed on its passage.

PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	_____	_____	_____	_____	_____
<u>BURNS</u>	_____	_____	_____	_____	_____
<u>HINGA</u>	_____	_____	_____	_____	_____
<u>HUNTER</u>	_____	_____	_____	_____	_____
<u>MOSES</u>	_____	_____	_____	_____	_____
<u>NUCKOLS</u>	_____	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	_____	2	_____	_____	_____
<u>SCHMIDT, V.</u>	_____	_____	_____	_____	_____
<u>STIER</u>	_____	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	_____	_____

DATE: _____

CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. _____ on the _____ day of _____, 19_____.
ATTEST: (SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19_____, at the hour of _____ o'clock _____ M., E.S.T.

CITY CLERK

Approved and signed by me this _____ day of _____, 19_____, at the hour of _____ o'clock _____ M., E.S.T.

MAYOR

Bill No. Z-79-02-34

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. M-30

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Withdrawn PASS.

JOHN NUCKOLS - CHAIRMAN

SAMUEL J. TALARICO - VICE CHAIRMAN

VIVIAN G. SCHMIDT

JAMES S. STIER

WILLIAM T. HINGA

John Nuckols
Samuel J. Talarico
Vivian G. Schmidt
James S. Stier
William T. Hinga

3-27-79 CONFIRMED IN
DATE CHARLES W. WESTERMAN, CITY CLERK



City Clerk Memorandum

CHARLES W. WESTERMAN, Clerk

To Mayor Robert E. Armstrong Date 3-19-79
From Charles W. Westerman - City Clerk
Subject Appearance before Common Council 3-27-79

COPIES TO:

BILL NO. Z-76-09-11

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. HH-2

Pursuant to the request of the Standing Committee Vice Chairman of Regulations of the Common Council, the presence of Gary Baeten, City Plan Commission, is respectfully requested on March 27, 1979, 7:00 P.M., Common Council Conference Room 128.

A more detailed explaination is requested by Common Council regarding City Plan Commission recommended DO PASS with the following amendments: PERFECT TO A B-1-B CLASSIFICATION and DO PASS LOTS #234, 237 & 238, eliminating Lots 232, 233, 235, 236 and 239 from the orginal petition.

Your cooperation will be greatly appreciated.

Richard

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 27, 1979, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-79-02-34; and,

WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission;

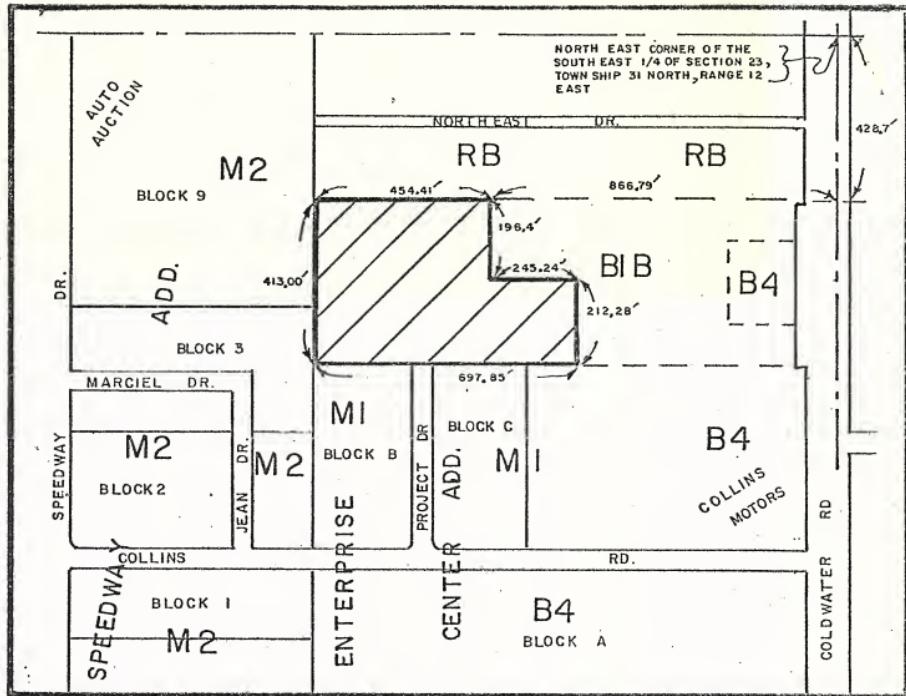
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the written request of the petitioner;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

Certified and signed this
7th day of March 1979.

Thomas G. Adams

Thomas Adams
Secretary



 CHANGE FROM BIB TO M2

Map No. M-30

PREPARED BY R.K

DATE 9FEB 1979

RECEIPTDate 2-7- 1979 No. 10716Received From Johnny Appleseed CenterAddress 2542 Thompson Ave.For Fifty dollars and 00/100 Dollars \$ 50.00
Region 6-1 to M-2

ACCOUNT

HOW PAID

AMT. OF
ACCOUNT50 00

CASH

AMT. PAID

50 00

CHECK

7266BALANCE
DUEMONEY
ORDER

By

J. Barnes

EXHIBIT

Legal Description of Property

TRAN

OF

5.495 ACRES

FT. WAYNE, INDIANA

PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 23,
TOWNSHIP 31 NORTH, RANGE 12 EAST, ALLEN COUNTY, INDIANA,
DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID HALF-QUARTER
SECTION; THENCE SOUTH AND ALONG THE CENTERLINE OF U. S. HIGHWAY
#27 (COLDWATER ROAD) 428.70 FEET; DEFLECTING 90° 21' RIGHT
PARALLEL WITH THE NORTH LINE OF SAID HALF-QUARTER SECTION
866.79 FEET TO THE PLACE OF BEGINNING OF THIS DESCRIPTION;
THENCE DEFLECTING 90° 21' LEFT PARALLEL WITH SAID CENTERLINE
196.40 FEET; THENCE DEFLECTING 89° 39' LEFT PARALLEL WITH
THE NORTH LINE OF SAID HALF-QUARTER SECTION 245.24 FEET;
THENCE DEFLECTING 89° 39' RIGHT PARALLEL WITH SAID CENTERLINE
212.28 FEET; THENCE DEFLECTING 90° 00' RIGHT PARALLEL WITH
THE SOUTH LINE OF SAID HALF-QUARTER SECTION 697.85 FEET TO
THE WEST LINE OF SAID HALF-QUARTER SECTION; THENCE NORTH
AND ALONG THE WEST LINE OF SAID HALF-QUARTER SECTION 413.00
FEET; THENCE EAST PARALLEL WITH THE NORTH LINE OF SAID HALF-
QUARTER SECTION 454.41 FEET TO THE PLACE OF BEGINNING,
CONTAINING 5.495 ACRES, MORE OR LESS.

APRIL 4, 1974
#22074

P E T I T I O N

It has come to the attention of the undersigned that one Sam Moricca has requested a zoning change as to three non-consecutive lots north of Covington Road, west of South Bend Drive, and east of Sheffield, in Wayne Township, Allen County, Indiana, to B1-B from residential designations now in existence. Such request, we thought, was successfully resisted in 1976, and now, without further notice, we find that this matter is now before the ~~County~~ ^{City} Council.

The undersigned, all being resident homeowners, object strenuously to said change in zoning or any use not commensurable with present designations, and urge that the ~~Allen County~~ ^{City} Council not approve any such zoning or a non-conforming use as to any lots fronting on Covington Road between Sheffield and South Bend Drive (previously known as "Old Huntington Road") in that the requested zoning or use would be "spot zoning"; would detract from the value of adjoining residential neighborhoods; would create a traffic hazard even greater than presently existing; and in that the interested parties have not received requisite notices of the proposed action or actions of the ~~Allen County~~ ^{City} Plan Commission or ~~Allen County~~ ^{City} Council.

Gregory L. Eads

4701 Covington Rd. Apts

Robert J. Est

4701 Covington Road

Robert E. Shilling

4701 Covington Rd. off 12

L. J. Gaetzman

4701 Covington Rd. Apts 10

Wm. L. J. Gaetzman

" " Apt. 22

John W. Eads

4701 Covington Rd.

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Phyllis Stanley
Wendy

2807 Club Terrace

2737 Club Terrace

Nancy Hershman
W. S. Palmer

2737 Club Terrace

2716 Club Terrace

Patricia Wynneken

2716 Club Terrace

Margaret K. Anderson
Phyllis Thomas

2816 Club Terrace

2840 Club Terrace

Carolyne P. Gitterman

2840 Club Terrace

<u>Richard Wall</u>	<u>2606 Smith Rd.</u>
<u>Reed S. North</u>	<u>2806 Smith Rd</u>
<u>Helea Van Arkam</u>	<u>2730 Club Terrace</u>
<u>WBM Oregon</u>	<u>5811 Covington Rd</u>
<u>Hildegard Morgan</u>	<u>5811 Covington Rd</u>
<u>Ann Webster</u>	<u>5323 1/2 Huntington Rd.</u>
<u>Ron Barber</u>	<u>5305 US 24 W</u>
<u>✓✓✓✓</u>	<u>5525 Covington Rd.</u>
<u>Sarah Fitch</u>	<u>5525 Covington Rd.</u>
<u>Marianne</u>	<u>2736 Club Terrace</u>
<u>Jeanne</u>	<u>2816 Smith Rd.</u>
<u>Margaret Hyde</u>	<u>2816 Smith Rd.</u>

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Douglas Miller
2736 Club Terrace, Ft Wayne Ind.

2745 Glidewell Dr

2926 Smith Road Ft Wayne

Rita K. Glidewell

2926 Smith Road, Ft Wayne

Lorraine Smith

3120 Smith Road Ft Wayne

J. Howard Smith

3120 Smith Rd - Ft Wayne

Richard G. Yealey

3130 Smith Rd - Ft Wayne

Patricia M. Yealey

3130 Smith Rd - Ft Wayne

Agnes Antikas

2736 Smith Road

<u>Allen A. Loman</u>	<u>2726 Smith Road</u>
<u>Marie L. Loman</u>	<u>2726 Smith Rd.</u>
<u>Carol A. Mosher</u>	<u>2718 Smith Rd</u>
<u>J. E. M. A. Livergini</u>	<u>5423 Covington Rd</u>
<u>J. D. A. Livergini</u>	<u>5806 Seven Tree</u>
<u>Thelma Stanley</u>	<u>2807 Club Terrace</u>
<u>Joe O. Stevens</u>	<u>5576 Covington Rd.</u>
<u>Bill Kratzel</u>	<u>3516 Smith Rd.</u>
<u>Charles Conn</u>	<u>2620 Covington Club</u>
<u>Reed Cassidy</u>	<u>5437 Covington</u>
<u>Vivian J. Cassidy</u>	<u>5437 Covington Rd.</u>
<u>Richard E. Diorio</u>	<u>5511 Covington Rd.</u>
<u>Gretchen A. Bonisit</u>	<u>5511 Covington Rd.</u>
<u>Martha Doty</u>	<u>5544 Covington Rd.</u>
<u>Laeph Doty</u>	<u>5544 Covington Rd.</u>
<u>Willis J. Martin</u>	<u>5324 Covington Rd.</u>
<u>Harold E. Mingo</u>	<u>5110 Covington Rd.</u>
<u>Mary E. Mingo</u>	<u>5110 Covington Road</u>
<u>Richard E. Ryan</u>	<u>5200 Covington Road</u>

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt Nō. _____

Date Filed _____

Intended Use _____

I/We Carl Verble Associates, Inc.
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from a/an B1 District to a/an M2 District the property described as follows:

5.495 Acres - described on attached exhibit

(Legal Description) If additional space is needed, use reverse side.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Carl Verble Associates, Inc.
(Name)

C/O Alfred J. Zacher
716 S. Barr Street

Carl Verble
Associates, Inc.
Carl C. Zacher

Fort Wayne, Indiana 46802
(Address & Zip Code)

(Signature)

(If additional space is needed, use reverse side)

Legal Description checked by _____

NOTE FOLLOWING RULES

All requests for continuances or requests that ordinances be taken under advisement shall be filed, in writing, in the office of Community Development and Planning, by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for the meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance. (FILING FEE: \$50.00)

Name and address of the preparer, attorney or agent.

Alfred J. Zacher
(Name) 716 S. Barr Street
(Address & Zip code) 422-8474
(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning and Zoning (CITY PLAN COMMISSION) / Room # 830, City-County Building, One Main Street / Fort Wayne, Indiana 46802 (Phone: 423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoning

Owners of Property

(Name)

(Address & Zip Code)

(Signature)

THE Zacher COMPANY

March 2, 1979

716 S. Barr Street
Fort Wayne, Indiana 46802
(219) 422-8474

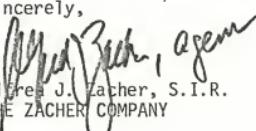
City Plan Commission
City - County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen:

We respectfully request that the zoning petition for 5.495 acres owned by Carl Verble Associates be withdrawn.

The filing fee has been reallocated to the Board of Zone Appeals Petition for the same property. A copy of the petition is enclosed.

Sincerely,


Alfred J. Zacher, S.I.R.
THE ZACHER COMPANY

AJZ/ep

Encl.

INDUSTRIAL
COMMERCIAL
INVESTMENT
DEVELOPMENT

Member:
National Association of Realtors

Individual Member
Society of Industrial Realtors

Number assigned by Bill Salin's Office: # 3292 Admn. Appr. _____

DIGEST SHEET (AMENDED)

Z-76-09-11

TITLE OF ORDINANCE Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE Lots #234, 237, and 238 Country Club Terrace Addition.

Section A, generally located on the North side of Covington Road, east of
Sheffield Drive and West of South Bend Drive.

EFFECT OF PASSAGE Property is now zoned RA District - Suburban Residential.

Property will become B1B District - Limited Business.

EFFECT OF NON-PASSAGE Property will remain RA District - Suburban Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.) _____